

****NOT FOR PRINTED PUBLICATION****
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IMPERIUM (IP) HOLDINGS, INC,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	Case No. 4:11cv163
	§	(Judge Clark/Judge Mazzant)
APPLE INC., ET AL.	§	
	§	
<i>Defendants.</i>	§	

ORDER ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On February 26, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants': (1) Motion for Summary Judgment of Non-Infringement as to the '535 Patent (Dkt. #304); (2) Motion for Summary Judgment of Non-Infringement of Claim 15 of the '715 Patent (Dkt. #307); (3) Motion for Summary Judgment of Non-Infringement of Claims 14 and 17 of the '884 Patent (Dkt. #308); (4) Motion for Summary Judgment of Non-Infringement of All Patents (Dkt. #309); and (5) Motion for Summary Judgment of Non-Infringement of Claims 1-6 of the '884 Patent (Dkt. #310) be denied.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is, therefore, **ORDERED** that Defendants' Motions for Summary Judgment on Non-Infringement [Docs. # 304, 307, 308, 309, and 310] are **DENIED**.

So **ORDERED** and **SIGNED** this **26** day of **March, 2013**.

A handwritten signature in black ink, appearing to read "Ron Clark", is positioned above a horizontal line.

Ron Clark, United States District Judge